

**EXHIBIT 19**

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

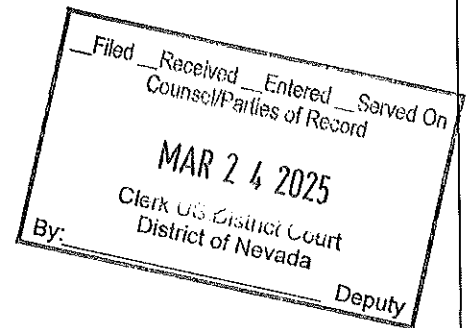
**DREW J. RIBAR, Pro Se Plaintiff**  
3480 Pershing Ln  
Washoe Valley, NV 89704  
(775) 223-7899  
[Const2Audit@gmail.com](mailto:Const2Audit@gmail.com)

v.

**WASHOE COUNTY, et al.**

Defendants.

**Case No.: 3:24-cv-00526-ART-CLB**



**EXHIBIT 19**

**Title: Email Correspondence Regarding the Appeal Process for Library Suspension –  
Library Board of Trustees Hearing**

**Date of Correspondence: August 14, 2024**

**Source: Internal email correspondence between Washoe County District Attorney's Office  
and Library Officials**

**Bates Number Range: EXH143-EXH149**

**Description:**  
PLEADING TITLE - 1

1 This exhibit contains internal email correspondence between Washoe County Deputy District  
2 Attorney **Herbert Kaplan**, Library Director **Jeff Scott**, members of the Washoe County Library  
3 Board of Trustees, and other county officials regarding the appeal process for library  
4 suspensions, including **Plaintiff's appeal hearing scheduled for August 21, 2024.**  
5

6 The emails demonstrate procedural due process violations, including:  
7

- 8 1. **Lack of Proper Notice** under **NRS 241.033**, which requires advance notice before  
9 discussing an individual's character or alleged misconduct at a public meeting.  
10
- 11 2. **Denial of Full Evidentiary Hearing**, limiting Plaintiff's right to present evidence and  
12 cross-examine witnesses.  
13
- 14 3. **Selective Enforcement & Retaliation**, where suspension appeals were structured to  
15 **punish critics** of the library while failing to apply uniform enforcement.

16 **Legal Relevance & Case Law Support:**  
17

18 1. **First Amendment Retaliation:**

- 19 ○ The emails support **viewpoint discrimination claims**, where **Plaintiff's**  
20 **suspension was motivated by criticism of library policies rather than neutral**  
21 **rule enforcement (Davison v. Randall, 912 F.3d 666 (4th Cir. 2019)).**  
22

23 2. **Fourteenth Amendment Due Process Violations:**

- 24 ○ The **failure to provide adequate notice and a fair hearing violates procedural**  
25 **due process (Mathews v. Eldridge, 424 U.S. 319 (1976)).**  
26  
27  
28

- **Library Board members and county officials predetermined the outcome,**  
denying Plaintiff meaningful participation in his appeal (**Goldberg v. Kelly, 397**  
**U.S. 254 (1970))**.

**3. Monell Liability (42 U.S.C. § 1983):**

- Washoe County's policies on suspensions and **lack of due process protections**  
create municipal liability under **Monell v. Dept. of Social Services, 436 U.S. 658**  
**(1978)**.

**4. Nevada Open Meeting Law Violations:**

- The Library Board's actions violated **NRS 241.033**, which mandates that  
individuals receive proper notice before being discussed in a disciplinary capacity  
during public meetings.

**Certification of Authenticity:**

I, **Drew J. Ribar**, certify that the attached exhibit is a true and accurate copy of the email  
correspondence regarding my appeal of an unlawful library suspension, obtained through public  
records requests and litigation discovery.

**DATED:** March 17, 2025

**Respectfully submitted,**

**/s/ Drew J. Ribar**

Drew J. Ribar, Pro Se

3480 Pershing Ln

1 Washoe Valley, NV 89704

2 (775) 223-7899

3 Const2Audit@gmail.com

28 PLEADING TITLE - 4

**From:** Kaplan, Herbert <HKaplan@da.washoecounty.gov>  
**Sent:** 14 August 2024 16:47  
**To:** sanshelly1@charter.net; Const2Audit@gmail.com; vwmeyer@gmail.com;  
fredrmyer@gmail.com  
**Cc:** Silver, Ann (Board member); Ruf, Tami (Trustee); Jacks, Gianna (Board Member); Moser, Lea (Trustee); Al Rogers (Trustee); Solaro, David; Scott, Jeff  
**Subject:** Re: RE: RE: Notice of Appeal - Library Board of Trustees - August 21, 2024  
**Attachments:**

Ms. Tibbett, Mr. Ribar, and Mr. Myer,

I wanted to reach out to each of you regarding the process that will be utilized in connection with your appeals of the suspensions of library privileges.

This is not an evidentiary hearing, but is a hearing on an appeal, much like those heard in April regarding book challenges. In each case, the Library will be afforded 5 minutes to explain the basis for the suspension. You, as the appellant, will then be given 5 minutes to explain the basis for your appeal. If you wish to provide any additional documentation for the Board to consider, that must be provided to Director Scott, preferably in advance of the meeting. The Library Board will then decide whether to deny or grant the appeal, also having the option of potentially shortening the length of the suspension.

Thank you.

**Herbert Kaplan**  
**Deputy District Attorney**  
**Washoe County District Attorney**  
[hkaplan@da.washoecounty.gov](mailto:hkaplan@da.washoecounty.gov)  
Office: 775.337.5700  
One S. Sierra St. 4<sup>th</sup> Floor, Reno, NV 89501  
**Justice First, People Always**  
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From: Kaplan, Herbert <HKaplan@da.washoecounty.gov>  
Sent: Tuesday, August 13, 2024 12:26 PM  
To: sanshelly1@charter.net <sanshelly1@charter.net>  
Cc: Silver, Ann (Board member) <ASilver@washoecounty.gov>; Ruf, Tami (Trustee) <TRuf@washoecounty.gov>; Jacks, Gianna (Board Member) <GJacks@washoecounty.gov>; Moser, Lea (Trustee) <LMoser@washoecounty.gov>; Const2Audit@gmail.com <Const2Audit@gmail.com>; vwmyer@gmail.com <vwmyer@gmail.com>; Al Rogers (Trustee) <ARogers@washoecounty.gov>; Solaro, David <DSolaro@washoecounty.gov>  
Subject: Re: RE: RE: Notice of Appeal - Library Board of Trustees - August 21, 2024

Ms. Tibbett,

Pursuant to NRS 241.033, notice is required prior to discussing the alleged misconduct of an individual in a public meeting.

There is simply insufficient time in which to provide the notice pursuant to statute for the August 21 meeting.

Absent you waiving the technical notice pursuant to NRS 241.033, we will have to provide the notice as prescribed by that provision. The notice you receive, whether or not you waive the technical service of the same, will be exactly what has already been provided to you via e-mail. If you do not waive the technical notice provision, the notice would have to be either provided to you personally, or sent via certified mail. The statute sets forth the required timing of those notices. It is your choice whether you waive the technical notice pursuant to the statute. If you choose not to do so, we will be prohibited by the Open Meeting Law from conducting the appeal at the August 21 meeting. Instead, your appeal will be placed on a future agenda, likely the September 2024 meeting.

Unfortunately, these are the rules we are provided. As the agenda must be posted by Friday morning for next week's meeting, we will need to know by Thursday, August 15, 2024, if you are waiving the technical notice requirement. If we do not receive that communication from you by 5:00 p.m. on August 15, we will not place your appeal on the agenda for the August 21, 2024 meeting and will proceed to provide you with the notice by certified mail likely for the September meeting.

I hope that this clarifies your question. If you have additional questions on this issue, please feel free to reach out to me.

Thank you.

Herbert Kaplan

Deputy District Attorney

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Washoe County District Attorney

[hkaplan@da.washoecounty.gov](mailto:hkaplan@da.washoecounty.gov)

Office: 775.337.5700

One S. Sierra St. 4<sup>th</sup> Floor, Reno, NV 89501

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**From:** sanshelly1@charter.net &lt;sanshelly1@charter.net>;  
**Sent:** Tuesday, August 13, 2024 11:51 AM  
**To:** Solaro, David &lt;DSolaro@washoecounty.gov>;  
**Cc:** Kaplan, Herbert &lt;HKaplan@da.washoecounty.gov>; Herman, Jeanne  
&lt;JHerman@washoecounty.gov>; Clark, Michael &lt;MEClark@washoecounty.gov>; Hill, Alexis  
&lt;AHill@washoecounty.gov>; Garcia, Mariluz C. &lt;MCGarcia@washoecounty.gov>; Clara  
Andriola &lt;CAndriola@washoecounty.gov>; Brown, Eric P.  
&lt;EPriceBrown@washoecounty.gov>; Silver, Ann (Board member)  
&lt;ASilver@washoecounty.gov>; Ruf, Tami (Trustee) &lt;TRuf@washoecounty.gov>; Jacks,  
Gianna (Board Member) &lt;GJacks@washoecounty.gov>; Moser, Lea (Trustee)  
&lt;LMoser@washoecounty.gov>; Const2Audit@gmail.com &lt;Const2Audit@gmail.com>;  
vwmyer@gmail.com &lt;vwmyer@gmail.com>;  
**Subject:** RE: RE: RE: Notice of Appeal - Library Board of Trustees - August 21, 2024

This Message Is From an External Sender  
This message came from outside of Washoe County -- DO NOT CLICK on links or open  
attachments unless you are sure the content is safe.  
Report Suspicious

Mr. Solaro,

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I have another question in response to your email. I received an email from the assistant library director, Stacy McKenzie, on 8/2/24, and the library director, Jeff Scott, on 8/9/2024. Both of them stated my appeal would be on the 8/21/24 library board agenda.

Why do I have to waive my rights when it's their mistake?

Thank you,

Sandee Tibbett

"No one is above the law, and no one should be able to use their position in government to escape accountability for wrongdoing." - Preet Bharara

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From: <sansshelly1@charter.net>  
To: "Solaro, David" <DSolaro@washoecounty.gov>;  
Cc: "Kaplan, Herbert" <HKaplan@da.washoecounty.gov>;  
<jherman@washoecounty.gov>; <meclark@washoecounty.gov>;  
<ahill@washoecounty.gov>; <mogarcia@washoecounty.gov>;  
<candriola@washoecounty.gov>; <epicebrown@washoecounty.gov>;  
<ASilver@washoecounty.gov>; <TRuf@washoecounty.gov>;  
<GJacks@washoecounty.gov>; <LMoser@washoecounty.gov>;  
Sent: August 13, 2024 at 9:06 AM PDT  
Subject: RE: RE: Notice of Appeal - Library Board of Trustees - August 21, 2024  
CC: Commissioners, County Manager, and Library Board

I forgot to add, I am being falsely accused as well. The video evidence you are possession of clearly shows I spoke with NO patrons during DQSH and I only spoke to library staff after being approached and harassed by them.

**BROKEN** (NRS) 200.510 A libel is a malicious defamation, expressed by printing, writing, signs, pictures or the like, tending to blacken the memory of the dead, or to impeach the honesty, integrity, virtue, or reputation, or to publish the natural defects of a living person or persons, or community of persons, or association of persons, and thereby to expose

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them to public hatred, contempt or ridicule

**BROKEN (NRS) 200.550** Every person who shall willfully state, deliver or transmit by any means whatever to any manager, editor, publisher, reporter or other employee of a publisher of any newspaper, magazine, publication, periodical or serial any statement concerning any person or corporation which, if published therein, would be a libel shall be guilty of a misdemeanor.

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From: <sansshelly1@charter.net>  
To: "Solaro, David" <DSolaro@washoecounty.gov>  
Cc: "Kaplan, Herbert" <HKaplan@da.washoecounty.gov>  
Sent: August 13, 2024 at 8:02 AM PDT  
Subject: RE: Notice of Appeal - Library Board of Trustees - August 21, 2024  
Good morning Mr. Solaro,

I appreciate your email. Thank you.

I have questions before I answer your email, please.

I don't understand why we have these NRS codes when nobody with our library system is able to abide by them. Why is the library director, staff, board and DA exempt from following the NRS codes?

**BROKEN (NRS) 379.120** Library to be free and accessible to public; regulations of governing authority.

**BROKEN (NRS) 200.460** False imprisonment is an unlawful violation of the personal liberty of another, and consists in confinement or detention without sufficient legal authority.

**BROKEN (NRS) 200.571** Harassment

**BROKEN (NRS) 233.010** It is hereby declared to be the public policy of the State of Nevada to protect the welfare, prosperity, health and peace of all the people of the State, and to foster the right of all persons reasonably to seek and be granted services in places of public accommodation without discrimination, distinction or restriction because of race, religious creed, color, age, sex, disability, sexual orientation, national origin, ancestry or gender identity or expression.

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**BROKEN (NRS) 241.033** to the extent that the Library Board of Trustees may  
&#8220;consider your character, alleged misconduct, professional competence, or  
physical or mental health,&#8221;.

Where is the accountability? Why aren't they held to a better standard?

Thank you,

Sandee Tibbett

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From: &quot;Solaro, David&quot; &lt;DSolaro@washoecounty.gov&gt;  
To: &lt;sanshelly1@charter.net&gt;  
Cc: &quot;Kaplan, Herbert&quot; &lt;HKaplan@da.washoecounty.gov&gt;  
Sent: August 12, 2024 at 5:34 PM PDT  
Subject: Notice of Appeal - Library Board of Trustees - August 21, 2024

Ms. Tibbett,

I have seen correspondence related to a potential request to appeal a decision of the Library System in Washoe County before the Library Board of Trustees.

Pursuant to Nevada Revised Statutes (NRS) 241.033, to the extent that the Library Board of Trustees may &#8220;consider your character, alleged misconduct, professional competence, or physical or mental health,&#8221; you are entitled to receive notice of such meeting by certified mail at least 14 days prior to the meeting. Considering the compressed time frame, notice by certified mail is not possible. Accordingly, it is requested that you reply to this e-mail whether you would like to waive the notice requirement via certified mail and consider your return e-mail as a waiver that you understand your statutory right and that you waive the otherwise applicable notice requirement set forth in NRS 241.033. This will allow the Board to fully consider your appeal at the upcoming August 21, 2024 meeting.

**Please respond to this e-mail and state whether you waive your notice requirements, or whether you would rather have notice as outlined in NRS 341.033.**

Thank you in advance for your consideration.

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David M. Solaro

Assistant County Manager | Community Services

[dsolaro@washoecounty.gov](mailto:dsolaro@washoecounty.gov) | Office: 775.328.3624

1001 E. Ninth Street, Building A, Reno, NV 89512

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